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ABSTRACT

This paper describes the Canadian systems for resource reallocation and how these systems affect public education. It identifies three tests for the adequacy of educational support and its distribution: (1) Do elite private schools provide significantly better education than public schools? (2) Does poverty at the personal, community, or provincial level significantly deprive citizens of educational services, or force them to endure inferior services? (3) Does the cost of a special educational service required by an individual or group determine if or where it will be available? Historical, sociological, legal, and economic data are reviewed in relation to each of these questions. Private schooling, special education, language rights, and religious minorities are then reviewed in turn as justifications of particular funding programs. An international context for both the levels and the distribution system is provided. A bibliography is included. (Author/TE)

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RESOURCES FOR EDUCATION

HUMAN RIGHTS AND THE CANADIAN SYSTEM

A submission on behalf of the

Canadian Society for the Study of Education

to the

American Educational Research Association

New Orleans, April 1984

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ABSTRACT

RESOURCES FOR CANADIAN
HUMAN RIGHTS AND THE CANADIAN SYSTEMS FOR REDISTRIBUTION

This paper describes the Canadian systems for resource reallocation effecting public education. It identifies three tests for the adequacy of educational support and its distribution. Historical, sociological, legal and economic data are reviewed. Private schooling, special education, language rights, religious minorities and sparse populations are reviewed in turn as justifications for particular funding programs. An international context for both the levels and distribution system is provided.

Resources for Education:
Human Rights and the Canadian Systems for Redistribution

The International Covenant on Economic, Social and Cultural Rights defines educational targets for which Canada is theoretically accountable to the international community. Violations of the rights set out could be protested, either by aggrieved individuals or groups. (Tarnopolsky, 1982)

Several of the proclaimed rights reflect resources: primary education shall be free and compulsory: secondary education shall be free, accessible to all, and diversified; higher education shall be accessible to all persons of sufficient competence, and increasingly free; fundamental education shall be encouraged and intensified for those who had not completed primary education in their youth; and the complete system will be adequately financed and vigourously improved. Progress toward these ambitious targets, particularly vigorous in the 1960's and 1970's, has been faltering for several years as other social objectives relegated education to a lower priority.

As total resources reach a plateau, are there cutbacks from which certain parts of the population suffer most? Incomes and employment are not uniformly distributed; how can it be otherwise for educational opportunities? Three aspects of potential maldistribution are examined here. (1) Does elite private schooling provide educational services that are significantly better than those in the public sector -- ie do rich Canadians find it necessary or worthwhile to send their children to private schools? (2) Does poverty at the personal, community or provincial level significantly deprive citizens of educational services or force them to endure inferior services? (3) Does the cost of a special educational service required by an individual or group determine if or where it will be available?

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The answers to these questions can be attempted on the basis of policy. Actual resources and spending patterns are available in the public record for checking the effectiveness of the systems in place.

The human rights arguments do not usually coincide with a "best investment" policy, except perhaps in selection and scholarship programs for higher education. On the whole, education is accepted as a good investment, but "fairness" rather than profitability determines its availability in Canada.

Fairness has been given a broad interpretation so that the same curriculum and materials may not be required for all students -- there may be differences to reflect language, pupil interests, parental wishes, disabilities ... Fairness justifies a program of educational merit despite declining enrollments, but appropriate measures may be taken to retain efficiency. New opportunities like language instruction must be extended fairly as examples of the rights of citizens in a modern democrary. If given a global rather than a national interpretation, Canadian educational policies would be termed lavish and greedy, for most phases of Canadian education consume many times the resources usually allotted to that function in developing nations.

1. Are Elite Private Schools Justified?

All parents are entitled to seek the best possible schools for their children. If they can afford elite private education, some parents will choose to send their children there: a human rights argument justifies this opportunity (Wolfendon, 1957). But perhaps such choices are merely a form of conspicuous consumption or establishing contacts for a subsequent climb up the corporate ladder. Are elite private schools actually better than their publicly financed equivalents? Certainly a few of them are. But

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only 4% of Canadian youth attend private schools, most of which are religiously or linguistically rather than qualitatively distinguishable, and most of them are financed at much lower levels than public schooling. The numbers of elite private schools remain low, with many of them hard pressed to retain any qualitative edge over their publicly funded rivals. In several provinces, subsidies to private schools have been introduced on various conditions, apparently in recognition that their usual role is to provide education for a cultural minority rather than for ambitious social climbers.

The key to this situation lies in the more or less continual improvement of educational opportunity in the public sector. The need for it receives little debate in legislatures - it is assumed by all parties. Each year the Minister of Education boasts that schools remain excellent. Canadian success in this respect has been acknowledged both internationally (Organization, 1975) and domestically (Livingtone and Haaf, 1980).

The background to the ideal of quality schooling accessible to all is often forgotten. It was introduced by several pioneer communities (McNeill, 1974; Skinner, 1960) and expanded by various public authorities (Patterson, 1974). Recently sheer expansion has given way to a concern for quality (Ray, 1974).

2. Does Poverty Hinder Educational Opportunity?

Family, community and provincial resources are not naturally distributed to ensure equal educational services. Both wealth and poverty are clustered within Canada. Even if poverty does not constitute an absolute barrier, there is not doubt that it is a factor in school drop-outs, under achievement and low aspirations. (Adams, et al, 1971) It is a factor in self-selection and in streaming within the schools. (Porter, et al, 1982; Porter, 1979; and Hunter, 1982)

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Perhaps the most obvious connection with family resources is the widespread need by poor families for labour by children, a practice most evident for small farms and businesses, itinerant workers and illegal immigrants. Resources are not administered precisely enough and are probably inadequate to end such exploitation, but many families do not avail themselves of available assistance. This problem is associated with early drop-outs, absenteeism and under achievement rather than non-attendance.

Poverty at the community level has been overcome more successfully. Fifty years ago a regressive grant structure resulted in rich communities receiving the most provincial assistance. Poor areas could hardly pay their teachers (Chalmers, 1967). In a few cases schools were closed, school boards bankrupted. Provinces were forced to assume direct responsibility, then to reform their grant structures and introduce progressive reforms. Even the poorest community was assured of a foundation level of support - a floor that was periodically raised. (Chalmers, 1978) Conditional grants encouraged local boards to improve school conditions. Provincial grants have become the major source of school revenue for the poorest communities but are less significant in rich areas. There are some provinces where local boards have been virtually eliminated by provincial assumption of responsibility for control and financing of schooling. (Morin and Girard, 1979, Chapter 6) In almost all provinces, the equalization plan became bi-partisan, buttressed by human rights arguments, almost devoid of patronage. No matter which party won a provincial election, the system of school funding was likely to be adjusted only marginally.

Canadian provinces are not equally wealthy, and even the richest of them experience periodic reverses that make it difficult to sustain their customary levels of support for education. They

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differ in the emphasis placed upon government involvement in social programs. But two measures unite the provinces: (1) possible reductions of their autonomy in the field of education; and (2) the need for the federal system to equalize resources for social services -- including education. (Cameron and Dupré, 1982 342-343) Were it not for federal transfer payments, several provinces would have difficulty maintaining their present levels of social services. (Figure 1)

Federal income is derived from the nation as a whole and despite loopholes that are often noted (Ross 1980 pp. 43-48) it is taxed broadly on ability to pay. Transfer payments for education and other social services are determined by needs, then calculated by complex formulae for various programs. Payments are not specified for education because that would enfringe provincial autonomy, but justifications for transfers included educational costs. (It might be noted that federal spending is acknowledged for training, research, and support for linguistic and cultural programs; so a measure of federal-provincial jousting takes place in them as a consequence of their "educational" flavour.) Basically the market system moves money west to prosperous investments and high productivity; equalization programs return some of it to finance eastern provinces' education, health care and social security. Although an economic argument for such programs could be mounted, the traditional reasons reflect political and human rights considerations.

The Canada Act (1981) places these obligations into the section of uncontested, irrevocable rights. The national government ensures "that provincial governments have sufficient revenues to provide reasonably comparable levels of public services at reasonably comparable levels of taxation" (Section 36). No principle in the Canadian federal system is more solidly implanted.

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FIGURE 1 INDICES OF EDUCATIONAL OPPORTUNITY ACROSS CANADA 1981 - 1982

	CANADA	B.C.	ALTA.	SASK.	MAN.	ONT.	QUE.	N.B.	P.E.I.	N.S.	NFLD.
Gross Provincial (National Product ($1,000,000)	351576	43145	48806	15406	13097	131625	79990	6066	884	7332	4262
Average Worker Income ($ Wk.)	336.95	361.48	373.25	322.27	298.35	329.54	333.71	297.26	246.70	286.99	316.01
Net Federal - Provincial Transfer Payments ($1,000,000)		-468	-763	-24	317	-2704	1951	507	142	493	549
Transfer/ Total Income		48.1%	41.1%	48.1%	50%	49.8%	42.1% *	58.9%	55%	52.6%	52.3%
Federal Education Grants/ Prov. Education Spending		8.6%	8.4%	15.1%	13.9%	6.8%	6.3% *	10%	12%	12.3%	10.0%
Population (000)	24343	2744	2238	968	1026	8625	6438	696	123	847	568
School Enrolment	5032393	534358	455161	211460	219167	1890160	1193110	151169	26314	184986	145574
University Enrolment	352000	28382	29915	14190	15642	147579	79445	11500	1390	17525	7094
Teachers all levels	334855	35020	30278	13444	14689	116075	89887	9368	1645	13781	9517
Average Salary Elementary Teacher $	26720	27520		25140	25860	27810		28400	252[illegible]	6640	25070

* Quebec foregoes some transfer payments for reasons of sovereignty

(Sources continued [illegible])

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Figure 1 cont'd — Indices of Educational Opportunity Across Canada 1981 - 1982

SOURCES

1. Economic Council of Canada *Financing Confederation Today and Tomorrow* Ottawa: Supply and Services, 1982, pp. 19, 59

2. Statistics Canada *Education in Canada* Ottawa: Supply and Services 1982

3. Statistics Canada *1981 Census of Canada*

4. Statistics Canada *Provincial Economic Accounts* 1967-1982

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3. Does the Cost of Educational Alternatives Determine If or Where They Will Be Offered?

Yes. Numbers and costs both are reflected in most alterative programs, but four justifications for such programs are able to override usual levels of financing.

Education for persons with disabilities, whether provided in mainstream schooling with extra facilities or personnel (as in Ontario) or in centralized facilities (the other provinces) habitually requires extra funding. In some cases effective education has not been undertaken because of its cost and doubts about its probable effectiveness -- ie brain damaged children may secure hospital care with little attempt to provide education. No reliable figures could be found to indicate the extent of this kind of problem. Some Boards, faced with the cost of special education for only one or two children, have been loath to provide it, encouraging the parents either to take the Board to court or to keep the kids at home. Again, statistics are not complete.

Children who could learn effectively with modest extra services often fail to secure the needed help and languish in regular classes, learning slowly and imperfectly. Even though this blight is probably widespread, its incidence cannot be measured with precision.

Minority group rights are even more clearly recognized as justifications for special funding. This may be modest instruction for part of the day or distinctive schools. In Canada such minority groups rights are associated with language, religion and ethnicity. In the case of Quebec, English language children (as defined in Act 101)* are entitled to education in English, no matter how few their numbers. Apparently the same right obtains for either English or French in New Brunswick, and perhaps it will be established in Manitoba.

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The more pressing concern is for the French minorities in most other provinces. French is not recognized as an official language except in Quebec and New Brunswick, and it is a language of instruction, or French schools are established "where numbers warrant". The term is variously defined.

If French parents are numerous in a community, they will secure their school, fully funded. But it may become an immersion language school that undermines that objective that French parents had in mind - the maintenance of both language and culture. If only a few French families live in a community, in most provinces they must be content with schooling in English for their children, with French as a second language introduced at some state (Churchill, 1980).

Languages other than French or English (which are official and equal in principle in Canada and New Brunswick but not for the other provinces) face a more dismal prospect, but the same principles apply. Native language instruction is severely limited due to shortages of teachers and effective materials, some native languages are therefore almost never taught in schools. The schools are their enemy.

Heritage languages (for example Chinese, German, or Ukrainian) are taught in several provinces as a second language. In a few cases, there are alternative public schools, assisted private schools or parent financed private schools that teach a

* Act 101 defines the groups entitled to English education as those with either parent or a brother or sister educated in English in Quebec, pupils who started school in English in Quebec, children from provinces where French pupils receive full opportunities (eg New Brunswick), certain temporary cases, and children of Native Ancestry. Other children are educated in French with English as a second language.

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significant part of the day in the heritage language. (Pannu and Young, 1980) A third possibility is that heritage languages are taught as an option, with provincial and/or local support, volunteer teachers and no official recognition of proficiency. (Churchill, 1980) Since in principle heritage languages are extended in every case where there is evidence of sufficient interest, this is an example of human rights being respected "where numbers warrant".

The case for religious minority schools is identical with the language schools -- and in some cases a language is involved. The right to form and operate a religious private school is virtually uncontested and public authorities would have to prove that children's educational rights were somehow violated (Bergen, 1979). In several provinces grants are available to religious schools that meet provincial standards -- for example by requiring certified teachers, authorized curricula and official language. Ontario is the conspicuous exception to this generosity toward religious diversity. In fact, even Roman Catholic separate schools which were established in the nineteenth century in Ontario are not yet able to secure grants for their senior grades. Public funding is (more or less) equal to grade eight, then it drops below the standard for other schools.

For Canada, public schools may be Roman Catholic or protestant, separate schools are the provincially funded alternative in five provinces, and private schools, usually with a lower level of tax support and perhaps with none, may be sponsored by any religious or faith. Naturally, all such religious diversity schools exists only where numbers warrant. (Ray, 1981)

Ethnicity reflects a special case. Language or religion may serve to create an ethnic school, but only the Indians, Inuit or Métis of Canada have schools organized and operated for and

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increasingly by the ethnic group unless justified also by language or religion. This right is reflected in the Canada Act, 1981, but is vaguely defined and two Constitutional Conferences have made little progress at resolving the issue. In practice about half the native population attend native (ethnic) schools, the rest attend public or separate schools, some of which offer special programs for native students. In most regions, the schools are well equipped but not taught by natives; Canadian education has not been very successful at retaining native pupils. Since the number of children potentially involved is significant and concentrated to some extent into certain regions of the country, the problem looms as the least satisfactory progress in extending schooling as justified by human rights and widely expected by the population. (Indian and Norther Affairs, 1980)

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